

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

CATHERINE MARIE PRIETO GARCIA,
Debtor.

Case No.: 11-00819 (ESL)

Chapter 13

**MOTION SUBMITTING POST-CONFIRMATION PLAN MODIFICATION DATED
APRIL 5, 2013 AND NOTICE OF PERIOD TO OBJECT TO ITS TERMS**

TO THE HONORABLE COURT:

NOW COMES, Debtor, represented by the undersigned attorney, and very respectfully states and prays as follows:

1. On April 12, 2012, this Honorable Court confirmed Debtor's Amended Plan dated March 30, 2012. See Docket No. 20. The confirmed plan provided for lift of stay with regards to Debtor's residence, which Debtor had abandoned previous to filing her bankruptcy petition. Popular is the mortgage loan creditor.

2. After plan confirmation, Debtor reached a loss mitigation agreement with Banco Popular in order to save her home. Thus, she began making the regular monthly mortgage payments to Banco Popular.

3. In order to move back into her residence, Debtor had to incur in home improvement expenses and pay some of the arrears owed to the Homeowners' Association of Urb. River Plantation. These extraordinary expenses caused arrears in Debtor's confirmed plan. Accordingly, on March 15, 2013, the Chapter 13 Trustee filed a motion to dismiss. See Docket No. 35.

4. In order to cure the aforementioned arrears and also satisfy the rest of the arrears owed to the Homeowners' Association of Urb. River Plantation, Debtor respectfully submits Post-Confirmation Modified Plan Dated April 5, 2013.

WHEREFORE, Debtor very respectfully prays from this Honorable Court to take notice of the aforementioned Post-Confirmation Modified Plan and approve the same, absent any properly grounded, timely objection.

RESPECTFULLY SUBMITTED.

NOTICE: Pursuant to Rule 2002(a)(5), within **twenty-one (21) days** after service as evidenced by the certification, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on this same date the foregoing motion was filed with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the U.S. Trustee, **Chapter 13 Trustee Alejandro Oliveras Rivera**, and all CM/ECF participants, and also mailed the same to any creditors in the attached list that are not CM/ECF participants.

In San Juan, Puerto Rico, this 13th day of April, 2013

/s/ Carlos C. Alsina Batista

Carlos C. Alsina Batista

USDC-PR NO. 222801

CARLOS ALSINA BATISTA LAW OFFICES, PSC

638 Aldebaran St.

Banco de Desarrollo Económico Bldng.

Second Floor, Suite HQ-7

San Juan, Puerto Rico 00920

Tel. (787)781-1882/Fax. (787)793-6733

Email: calsina@prquiebra.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 12-00819-13

PRIETO GARCIA, CATHERINE MARIE

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 4/05/2013

☐ AMENDED PLAN DATED: _____

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 240.00 x 9 = \$ 2,160.00
\$ 0.00 x 3 = \$ 0.00
\$ 340.00 x 12 = \$ 4,080.00
\$ 400.00 x 12 = \$ 4,800.00
\$ 440.00 x 24 = \$ 10,560.00

TOTAL: \$ 21,600.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 21,600.00

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee

Disclosure Statement: \$ 2,500.00

PCM Plan \$350.00



Signed: /s/ CATHERINE MARIE PRIETO GARCIA
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. ASOCIACION RESID Cr. _____

EE-8 # _____

\$ 1,021.00 \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. CARIBE FED (CL. 7) Cr. _____

24954 # _____

\$ 13,642.41 \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

CREDIT ACCEPTANCE POPULAR MORTGAGE

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

ASOC. RESIDENTES RIVER PLANTATION

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.

11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____

☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

See Continuation Sheet

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 2

Cr

#

\$

Executory Contracts - Rejected:

GLYSSELI BONILLA

AMENDED CHAPTER 13 PAYMENT PLAN

Continuation Sheet - Page 2 of 2

- (1) ATTORNEY'S FEES TO BE PAID FIRST;**
- (2) MONTHLY PRECONFIRMATION ADEQUATE PROTECTION PAYMENTS OF \$190.00 IN FAVOR OF CARIBE FEDERAL CREDIT UNION;**
- (3) ADEQUATE PROTECTION INSURANCE TO BE PROVIDED BY EASTERN INSURANCE COMPANY AND TO BE PAID THROUGH THE PLAN; DEBTOR WILL PROVIDE INSURANCE QUOTE FOR THE TRUSTEE'S ANALYSIS OF PLAN SUFFICIENCY;**
- (4) STEPPED-UP PAYMENTS WILL COME FROM MATURITY DATE OF 401K LOAN DEDUCTED FROM DEBTOR'S WORK PAYMENTS;**
- (5) DEBTOR AGREES TO LIFT OF STAY IN FAVOR OF POPULAR MORTGAGE IN ORDER FOR SUCH CREDITOR TO CONTINUE FORECLOSURE PROCEEDING AGAINST THE PROPERTY ("IN REM") ONLY; ANY DEFICIENCY IS AN UNSECURED DEBT WHICH WILL BE DISCHARGED;**
- (6) DEBTOR AGREES TO LIFT OF STAY IN FAVOR OF CREDIT ACCEPTANCE CORP. IN ORDER FOR SUCH CREDITOR TO SELL THE COLLATERAL VEHICLE ("IN REM") ONLY; ANY DEFICIENCY IS AN UNSECURED DEBT WHICH WILL BE DISCHARGED;**
- (7) DEBTOR SURRENDERS SHARES TO CARIBE FEDERAL CREDIT UNION;**
- (8) ANY FUTURE TAX REFUNDS RECEIVED DURING THE DURATION OF THE PLAN WILL FUND THE SAME, ABSENT A COURT ORDER ALLOWING DEBTOR TO USE ANY TAX REFUNDS PORTION, AFTER DUE NOTICE TO THE TRUSTEE AND CREDITORS.**

Label Matrix for local noticing
0104-3
Case 12-00819-ESL13
District of Puerto Rico
Old San Juan
Tue Mar 6 20:30:04 AST 2012

AMERICAN EXPRESS
PO BOX 981540
EL PASO, TX 79998-1540

AT&T MOBILITY
PO BOX 5818
DENVER, CO 80217-5818

AUTORIDAD DE ENERGIA ELECTRICA
P.O. BOX 363508
SAN JUAN, PR 00936-3508

BANK OF AMERICA
PO BOX 982235
EL PASO, TX 79998-2235

CHASE
LEGAL DEPT
PO BOX 15902
WILMINGTON, DE 19850

CRIM
PO BOX 195387
SAN JUAN, PR 00919-5387

HSBC BANK - PAYMENT PROCESSING CENTER
PO BOX 5253
CAROL STREAM, IL 60197-5253

LIBERTY CABLEVISION
PO BOX 719
LUQUILLO, PR 00773-0719

PUERTO RICO ELECTRIC POWER
PO BOX 364267
SAN JUAN, PR 00936-4267

RECOVERY MANAGEMENT SYSTEMS CORP
RAMESH SINGH
25 SE 2ND AVE STE 1120
MIAMI, FL 33131-1605

AMEX
PO BOX 981537
EL PASO, TX 79998-1537

AT&T SERVICES
1801 VALLEY VIEW LN
FARMERS BRANCH, TX 75234-8906

American InfoSource LP as agent for
T Mobile/T-Mobile USA Inc
PO Box 248848
Oklahoma City, OK 73124-8848

BANK OF AMERICA - RICHMOND VA
PO BOX 27025
RICHMOND, VA 23261-7025

(p)CREDIT ACCEPTANCE CORPORATION
25505 WEST 12 MILE ROAD
SOUTHFIELD MI 48034-8316

FIRST PREMIER BANK
3820 N LOUISE AVE
SIOUX FALLS, SD 57107-0145

JORGE LUIS FLYNN CINTRON
URB RIVER PLANTATION
NUM 20 CALLE TALLABOA
CANOVANAS, PR 00729-4304

POPULAR MORTGAGE
PO BOX 71375
SAN JUAN, PR 00936-8475

SCOTIABANK DE PR
CENTRALIZED RETAIL COLLECTION UNIT
P.O. BOX 362230
SAN JUAN, PR 00936-2230

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

ASOCIACION RESIDENTES RIVER PLANTATION
URB RIVER PLANTATION 140 CALLE TALLABOA
CANOVANAS, PR 00729

AUTORIDAD DE ACUEDUCTOS Y ALCANTARILLADO
P.O. BOX 70101
SAN JUAN, PR 00936-8101

BANCO POPULAR DE PR
PO BOX 362708
SAN JUAN, PR 00936-2708

CARIBE FEDERAL CREDIT UNION
195 ONEILL STREET
SAN JUAN, PR 00918-2404

CREDIT ACCEPTANCE CORP
PO BOX 5070
SOUTHFIELD, MI 48086-5070

GLYSSELI BONILLA DIAZ
CALLE 1 A13 RIO GRANDE ESTATES
RIO GRANDE, PR 00745

JP MORGAN CHASE BANK
PO BOX 659754
SAN ANTONIO, TX 78265-9754

PR ACQUISITIONS LLC
250 MUNOZ RIVERA AVE SUITE 1200
HATO REY PR 00918-1814

SCOTIABANK DE PUERTO RICO
PO BOX 362394
SAN JUAN, PR 00936-2394

TREASURY SECRETARY
DEPARTAMENTO DE HACIENDA
P.O. BOX 9024140
SAN JUAN, PR 00902-4140

WELLS FARGO BANK
BUSINESS DIRECT DIVISION
PO BOX 29746
PHOENIX, AZ 85038-9746

WELLS FARGO BANK, NA - TEXAS
PO BOX 660041
DALLAS, TX 75266-0041

WILLIAM SEVILLA MOTTA
C/O LCDO. CARLOS A. SANTANA RABELL
PMB 320 AVE RIO HONDO NUM 90
BAYAMON, PR 00961-3148

ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS CHAPTER 13 TRUS
PO BOX 9024062
SAN JUAN, PR 00902-4062

CARLOS C ALSINA BATISTA
CARLOS ALSINA BATISTA LAW OFFICES PSC
638 ALDEBARAN ST
BANCO DE DESARROLLO ECONOMICO BLDNG
SECOND FLOOR SUITE HQ 7
SAN JUAN, PR 00920

CATHERINE MARIE PRIETO GARCIA
URB ESTANCIAS DEL RIO
CALLE CEIBA NUM 98
CANOVANAS, PR 00729-4349

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

CREDIT ACCEPTANCE
25505 W 12 MILE RD #3000
SOUTHFIELD, MICH 48034

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	0
Total	37